

CHAPTER 7

TRAFFIC CODE

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7.01 STATE TRAFFIC LAWS ADOPTED. Except as otherwise specifically provided in this chapter, the statutory provisions in Chs. 340 to 348 and §941.01(1), Wis. Stats., describing and defining regulations with respect to vehicles and traffic, inclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made part of this chapter in order to secure uniform statewide regulation of traffic on the highways, streets, roads and alleys of Wisconsin.

7.02 OPERATION OF MOTOR VEHICLES. (1) MOTOR VEHICLES DEFINED. The term "motor vehicles" shall include automobiles, trucks, motorcycles, minibikes, go-karts, snowmobiles and all other means of conveyance operated by motor.

(2) PROHIBITION. No person shall operate a motor vehicle which shall cause the tires thereof to squeal or to throw stones or gravel or the horn to blow excessively or the motor to create loud or unnecessary noises.

7.03 OFFICIAL TRAFFIC SIGNS AND SIGNALS. (1) THE CHIEF OF POLICE AUTHORIZED TO PROCURE AND ERECT SIGNS AND SIGNALS. The Chief of Police is hereby authorized and directed to procure, erect or cause to be erected and maintain appropriate standard traffic signs, signals and markings conforming to the rules of this chapter as required by State law. Signs shall be erected in such locations and manner as the Chief of Police shall determine will best effect the purposes of this chapter and give adequate warning to users of the street or highway.

(2) REMOVAL OF UNOFFICIAL SIGNS AND SIGNALS. The Chief of Police shall have the authority granted by §49.09, Wis. Stats., and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this chapter or §346.41, Wis. Stats. Any charge imposed on a premises for removal of an illegal sign, signal or device shall be reported to the Town Board at its next regular meeting for review and certification.

7.04 SNOWMOBILES. (1) STATE SNOWMOBILE LAWS ADOPTED. Except as otherwise specifically provided in this section, the statutory provisions in Ch. 350, Wis. Stats., describing and defining regulations with respect to snowmobiles, exclusive of any provisions therein relating to penalties to be imposed, are hereby adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any section of Ch. 350 incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated herein are intended to be made a part of this section. Sections adopted by reference are as follows:

350.01	Definitions
350.02	Operation of Snowmobiles on or in Vicinity of Highway
350.03	Right-of-Way
350.04	Snowmobile Races, Derbies and Routes
350.045	Public Utility Exemption
350.047	Local Ordinance to be Filed
350.05	Operation by Youthful Operators Restricted
350.055	Safety Certification Program Established
350.06	Firearms and Bows
350.07	Driving Animals
350.08	Owner Permitting Operation
350.09	Head Lamps, Tail Lamps and Brakes
350.10	Miscellaneous Provisions for Snowmobile Operation
350.12	Registration of Snowmobiles
350.13	Uniform Trail Signs and Standards
350.15	Accidents and Accident Reports
350.17	Enforcement
350.18	Local Ordinances
350.19	Liability of Land Owners
350.99	Parties to a Violation

(2) SNOWMOBILE OPERATION PROHIBITED IN PARKS. No person shall operate a snowmobile on or across a municipal park or a private park without consent of the owner.

(3) PENALTY. Any person who shall violate any provision of this Code shall, upon conviction thereof, forfeit not less than \$20 nor more than \$500, but not more than permitted by statute, together with the costs of prosecution, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.

7.05 ABANDONED VEHICLES. (1) VEHICLE ABANDONMENT PROHIBITED. (a) No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway, or public or private property, for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned.

(b) No person shall leave any wrecked or nonoperable motor vehicle on any street within the Town.

(2) REMOVAL AND IMPOUNDMENT OF ABANDONED VEHICLES. After notice to the owner thereof and an opportunity for hearing thereon, any vehicle in violation of this subsection may be impounded until lawfully claimed or disposed of under sub. (3); except if the Town Board or its authorized representative determines that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the vehicle may be junked by the Town prior to expiration of the impoundment period upon determination by the Town Board or its authorized representative that the vehicle is not wanted for evidence or any other reason.

(3) DISPOSAL OF ABANDONED VEHICLES. (a) Vehicles Exceeding \$100 in Value. 1. If the Town Board or its authorized representative determines that the value of an abandoned vehicle exceeds \$100, the owner and lienholders of record shall be notified by certified mail that the vehicle has been deemed abandoned and impounded by the Town and may be reclaimed within 15 days upon payment of accrued towing, storage and notice charges and if not so reclaimed shall be sold. See also sub. (4).

2. If an abandoned vehicle exceeding \$100 in value is not reclaimed within the period and under the conditions provided in subpar. 1. above, it may be sold by sealed bid or at auction. If no satisfactory bid is received, the vehicle may be sold at private sale.

3. After deducting the expenses of impoundment and sale, the balance of the proceeds, if any, shall be paid into the Town treasury.

(b) Vehicles of Less Than \$100 in Value. Any abandoned vehicle which is determined by the Town Board or its authorized representative to have a value of less than \$100 may be disposed of by direct sale to a licensed salvage dealer upon determination that the vehicle is not reported stolen.

(4) OWNER RESPONSIBLE FOR IMPOUNDMENT AND SALES COSTS. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle, provided no such costs shall be imposed without notice thereof to the owner and an opportunity for the owner to be heard thereon. Costs not recovered by the sale of the vehicle may be recovered in a civil action by the Town against the owner.

(5) NOTICE OF SALE OR DISPOSAL. Within 5 days after the sale or disposal of a vehicle as provided in sub. (3), the Town Board or its authorized representative shall advise the State Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by the Division. A copy of such form shall be given to the purchaser of the vehicle and a copy shall be retained on file in the Town.

7.06 PARKING ZONES, LIMITATIONS AND REGULATIONS. (1) GENERAL PARKING RESTRICTIONS. (a) It shall be unlawful in the Town of Ottawa for the owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership or corporation or operator of any vehicle or any device in, upon or by which any person or property is or may be transported or drawn upon a public highway to park, stop, leave standing, or suffer any such vehicle or device at the curb, shoulder, or edge of any highway area, roadway or fire land in the Town of Ottawa upon which or upon a portion of which any sign has been erected restricting, limiting or prohibited in any way the same.

(b) No owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee or any firm, partnership or corporation or operator shall park a vehicle for longer than thirty (30) minutes at any time between the hours of 2:00 a.m. and 6:00 a.m. of any day on any street within the Town limits except physicians on emergency calls.

(2) GENERAL "NO PARKING" ZONES. No owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership or corporation or operator shall:

(a) Stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:

1. Within the driving lane.
2. Alongside another vehicle properly parked along such highway.

3. On a sidewalk or sidewalk area.
4. Alongside or opposite any highway excavation or obstruction, when such stopping would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
5. Upon any portion of highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
6. No truck, tractor, trailer or semitrailer as defined by Section 340.01 vehicle code definition (73), (71) and (57) W.S.A., shall be parked on any residential street between the hours of 2:00 a.m. and 6:00 a.m. on any day of the week.

(b) Stop or leave standing any vehicle in any of the following places except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:

1. In a loading zone.
2. Within ten (10) feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign.
3. Within four (4) feet of the entrance to any alley or private driveway.
4. Closer than thirty (30) feet to the driveway entrance to a fire station.
5. Upon any portion of a highway where and at the time when parking is prohibited, limited or restricted by official traffic signs.
6. With the wheels more than twelve (12) inches from the curb.
7. Closer than two (2) feet to a vehicle parked to the front or rear.
8. Upon any portion of a highway any vehicle displayed for sale.
9. Without the permission of the owner or lessee of any public or private property, contrary to a posted sign thereon, if there is in plain view on such property a "No Parking" sign or a sign indicating limited or restricted parking.

(c) Stop or leave standing any vehicle which in any way blocks the entrance to any private driveway or garage, without

the consent of the owner of said driveway, so as to prevent free passage of vehicles.

(d) Stop or leave standing any vehicle on a street in such a manner as to obstruct the free flow of traffic. Any such obstruction shall constitute an emergency condition detrimental to the health, safety, welfare and good order of the general public in that the movement of food, fuel supplies, medical care, fire, health and police protection is impaired, as provided for in Section 66.325(2) of the Wisconsin Statutes and said vehicle may, at the direction of a Police Officer, be removed by the Town or its representative after first attempting to give notice to the owner of said vehicle that the same must be removed.

(3) PARKED IN A TOW-AWAY ZONE. Any vehicle parked or stopped on a section of highway marked as a tow-away zone during the time in which such parking or stopping is prohibited, may, at the direction of a Police Officer, be removed by the towing company under contract with the Town of Ottawa to the storage area maintained by such company and kept there until the owner shall present to the towing company a release from the Police Department.

(4) WINTER PARKING REGULATIONS. It shall be unlawful in the Town of Ottawa for the owner, person, firm, partnership or corporation nor any officer, member, agent, servant, employee of any firm, partnership or corporation or operator of any vehicle or any device in, upon or by which any person or property is or may be transported or drawn upon a public highway to park, stop, leave standing, or suffer any such vehicle or device at the curb, shoulder or edge or any highway area, roadway or fire lane in the Town of Ottawa during the months of November, December, January, February and March of each year.

(5) SPECIFIC "NO PARKING" ZONES. No owner or operator of any vehicle and every device in, upon or by which any person or property is or may be transported or drawn upon a public highway shall park, stop or leave standing any such vehicle or device at the curb, shoulder or edge of the following sections of the following streets located in the Town:

(a) Waterville Road, within 100 feet from the public entrance to the Wisconsin State Forest Pine Woods Campground, along the east and west sides of the Road, at such times that no parking signs are posted.

(b) Along the south side of Manor House Road immediately east and west of the lake access driveway, extending easterly to the east end of the bridge crossing.

(c) Along the north side of Manor House Road immediately east and west of the bridge crossing which is east of the lake access driveway.

7.07 SPEED LIMITS. The following speed limits are hereby designated in the Town of Ottawa:

(1) 15 MPH ZONE. The following designated streets in the Town of Ottawa are hereby designated as 15 MPH Zones. The entire street is so designated unless otherwise stated:

Hunters Avenue

Lake Road

(2) 25 MPH ZONE. The following designated streets in the Town of Ottawa are hereby designated as 25 MPH Zones. The entire street is so designated unless otherwise stated:

Becker Court
Beverly Lane
Big Oak Drive
Bowe Court
Bur Oak Lane
Carriage Drive
Cedar Circle
Chickory Court
Country Meadow Court
Countryside Court
Countryside Lane
Deer Hollow Court
Deer Park Drive
Dolmar Park Drive
East Pretty Lake Road
Elsa Avenue
Forest Court
Fox Hill Drive
Glacier Drive
Grambling Street
Gramling Circle
Griffith Lane
Hawks Hollow
Hay Court
Hay Drive

Henry Court
Henry Street
Hidden Pass
Hidden Valley Drive
High Prairie Court
Highland Court
Holland Court
Holland Lane
Kingdom Drive
Laak Lane
Lake Drive
Lisa Lane
Manor House Court
McClure Drive
McCoy Parkway
Meadow Lane
Meadow Trail
Meadows Drive
Moraine Oaks Drive
Needle Point Drive
Old Stonewall Court
Parkview Drive
Parry Road
Pasteur Court
Pine Ridge Court
Pine View Drive
Pine View Lane
Ponderosa Court
Prairie View Drive
Pretty Lake Road
Private Sanctuary Lane
R.W. Igl Lane- East from CTH Z to the end of the cul-de-sac
Ridgeway Drive
Robinhood Drive
Rue Chantilly
Rue Park
School Section Lake Drive
Scuppernong Circle
Scuppernong Court
Scuppernong Drive
Shangri-La Drive

Spring House Court
St. Bruno Avenue
Stewart Court
Stillmeadow Court
Tallgrass Court
Utica Road
Virgin Forest Drive
West Pretty Lake Road
Wildflower Court
Willow Springs Drive
Woodstream Court

(3) 35 MPH ZONE. The following designated streets in the Town of Ottawa are hereby designated as 35 MPH Zones. The entire street is so designated unless otherwise stated:

Mill Pond Road
Moraine Hills Drive- All portions that are not designated below as a 45 mph zone.
School Section Lake Road
Waterville Road

(4) 45 MPH ZONE. The following designated streets in the Town of Ottawa are hereby designated as 45MPH Zones. The entire street is so designated unless otherwise stated:

Gramling Lane
Hardscrabble Road
Manor House Road
Moraine Hills Drive - That portion that runs Easterly/Westerly between Waterville Road and the Town limits, and was formerly known as CTH "GG".
North School Section Lake Road
Piper Road

(5) SCHOOL ZONE 15 MPH. The following designated streets in the Town of Ottawa are hereby designated as 15 MPH Zones, at those times when children are going to or from school or are playing within the sidewalk area at about the school. The entire street is so designated unless otherwise stated:

St. Bruno Avenue

(6) **POSTING.** The Town Highway Supervisor is hereby directed to install the appropriate designated speed limit signs in accordance with the laws of the State of Wisconsin to carry the terms of this Section 7.07.

7.08 SEASONAL WEIGHT LIMITATIONS. The officer in charge of maintenance of Town roads in the Town of Ottawa, which shall be deemed the Town Engineer unless otherwise designated by the Town of Ottawa Town Board, may impose special weight limitations on any such Town road or portion thereof, which because of weakness of the road bed due to deterioration or climatic conditions or other special or temporary condition, would likely be seriously damaged or destroyed in the absence of such special limitations. This authority, and the posting of signs pursuant to this authority, shall be exercised in accordance with Wisconsin Statutes Section 349.16, including any amendments, revisions or modifications that may be made to said statute in the future.

7.085 SPECIAL WEIGHT LIMITATIONS. The officer in charge of maintenance of Town roads in the Town of Ottawa, which shall be deemed the Town Engineer unless otherwise designated by the Town Board of the Town of Ottawa, may impose special weight limitations on bridges or culverts when in the officer's judgement such bridge or culvert cannot safely sustain the maximum weights permitted by statute. This authority, and the posting of signs pursuant to this authority, shall be exercised in accordance with Wisconsin Statutes §349.16, including any amendments, revisions or modifications that may be made to said statute in the future.

7.09 ALL-TERRAIN VEHICLE ROUTE. (1) **CREATED.** Pursuant to Wisconsin Statutes Section 23.33(8)(b), an all-terrain vehicle route is hereby created. Such all-terrain vehicle route shall include the full length of all of the following Town roads:

Pretty Lake Road
East Pretty Lake Road
West Pretty Lake Road
Cedar Circle

(2) **SIGNAGE.** Uniform all-terrain vehicle route signs shall be posted in accordance with State laws.

(3) **REGULATIONS.** All-terrain vehicles and utility terrain vehicles are authorized to operate on the all-terrain vehicle route, subject to the requirements of

Wisconsin Statutes Section 23.33 and all applicable State regulations, including Chapter NR 64 of the Wisconsin Administrative Code.

7.10 PENALTY. The penalty for violation of any provision of this chapter shall be a forfeiture as hereafter provided together with costs under 5345.27, Wis. Stats., and a penalty assessment, where applicable, as required under 5165.87(2), Wis. Stats.

(1) **STATE FORFEITURE STATUTES.** Any forfeiture for violation of 57.01 shall conform to the forfeiture permitted to be imposed for violation of the statutes adopted by reference, including any variations or increases for subsequent offenses.

(2) **LOCAL REGULATIONS.** Except as otherwise provided in this chapter, the penalty for a violation of this chapter shall be provided in 525.04 of this General Code.

(3) PARKING VIOLATIONS.

	<u>Minimum</u>	<u>Maximum</u>
(a) 346.51 (1) Improper parking on/off roadway	\$ 5	\$200
(b) 346.52 (1) Stopping/standing in prohibited areas	5	40
Second conviction in one year	10	100
(c) 346.52 (2) Stopping/standing on highway by grade school	5	40
Second conviction in one year	5	100
(d) 346.53 Parking/standing where prohibited	5	40
Second conviction in one year	10	100
(e) 346.54 Improper parking/standing of vehicle	5	40
Second conviction in one year	10	100
(f) 346.55 (1) Parking on left side of highway	5	200
(g) 346.55 (2) Parking vehicle for sale on highway	5	200
(h) 346.55 (3) Parking on posted private property	5	40
Second conviction in one year	10	100
(i) Ordinance 7.06 Parking Zones Limitations and Regulations	5	100

7.11 ENFORCEMENT. (1) ENFORCEMENT PROCEDURE. This chapter shall be enforced according to §§66.12, 345.20 to 345.53 and Ch. 799, Wis. Stats.

(2) DEPOSIT. (a) Any person arrested for a violation of this chapter may make a deposit of money as directed by the arresting officer at the Clerk of Court's office or by mailing the deposit to such a place. The arresting officer or the person receiving the deposit shall

comply with §343.27, Wis. Stats., or if the deposit is mailed, the signed statement required under §343.27 shall be mailed with the deposit. The arresting officer or the person receiving the deposit shall notify the arrested person, orally or in writing, that:

1. If he fails to appear in court at the time fixed in the citation, he will be deemed to have tendered a plea of no contest and submitted to a forfeiture plus costs not to exceed the amount of the deposit; or
2. If he fails to appear in court at the time fixed in the citation, and if the court does not accept the deposit as a forfeiture, he will be summoned into court to answer the complaint.

(b) The amount of the deposit shall be determined in accordance with the deposit schedule established by the Wisconsin Judicial Conference and shall include the penalty assessment established under §165.87, Wis. Stats., and costs. If a deposit schedule has not been established, the arresting officer shall require the alleged offender to deposit the forfeiture established by the Constable, which shall include the penalty assessment established under §165.87, Wis. Stats. Deposits for nonmoving violations shall not include the penalty assessment.

(c) The arresting officer or the person receiving the deposit shall issue the arrested person a receipt therefor as required by §345.26 (3) (b) , Wis. Stats.

3. STIPULATION OF NO CONTEST. Any person charged with a violation of this chapter, except §§7.346.62(1) and 7.346.63(1), may make a stipulation of no contest pursuant to §345.27, Wis. Stats., which shall be received at the office of the Clerk of Court within 10 days of the date of the alleged violation. Such person shall, at the time of entering into the stipulation, make the deposit required under sub. (2) if he has not already done so. A person who has mailed or filed a stipulation under this subsection may, however, appear in court on the appearance date and may be relieved from the stipulation for cause shown as required in §345.37, Wis. Stats.